

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LUKE REUDIGER, SUZANNE SAVOIE,)
KLAMATH-SISKIYOU WILDLANDS)
CENTER, and OREGON NATURAL)
RESOURCES COUNCIL, Oregon)
non-profit corporations,)
)
Plaintiffs,)
) Civil No. 04-3093-CO
v.)
) ORDER
The UNITED STATES FOREST)
SERVICE, an agency of the)
United States Department of)
Agricultural,)
)
Defendant.)
)
FRUIT GROWERS SUPPLY COMPANY)
)
Defendant-Intervenor.)
)

Magistrate Judge John P. Cooney filed Findings and Recommendation on July 6, 2005, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion

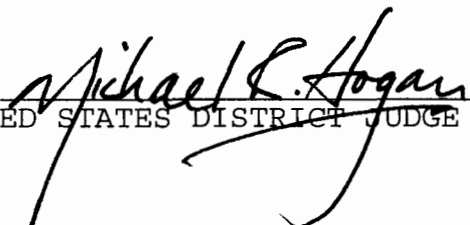
of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiffs have timely filed objections. I have, therefore, given de novo review of Magistrate Judge Cooney's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Cooney's Findings and Recommendation filed July 6, 2005, in its entirety. Plaintiffs' motion for summary judgment (#30) is denied, defendant United States Forest Service's motion for summary judgment (#33) is granted, and defendant Fruit Growers Supply Company's motion for summary judgment (#48) is denied as moot. The clerk shall enter judgment dismissing the case.

IT IS SO ORDERED.

DATED this 3rd day of Nov., 2005.


UNITED STATES DISTRICT JUDGE